

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2008-408-C - ORDER NO. 2008-857(A)

JANUARY 20, 2009

IN RE: Petition of BellSouth Telecommunications,)	AMENDED ORDER
Inc. d/b/a AT&T South Carolina for Review)	GRANTING NANPA/PA
of NANPA/PA NXX Code Assignments in)	NXX RELIEF
the Mount Pleasant Rate Center)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the necessity to amend Commission Order No. 2008-857 issued in the present docket. Order No. 2008-857 was issued on January 8, 2009, wherein the Commission granted a request of BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina (“AT&T” or the “Company”) by directing that central office code numbering resources be provided regarding two consecutive thousand number blocks in the 843 area code that do not begin with 9 or 0. However, rather than directing the entities of the central office code numbering resources administration – which under FCC regulations would include the North America Numbering Plan Administration (“NANPA”) and the Pooling Administrator (“PA”) – to provide the relief sought by AT&T, our original order mistakenly omitted the Pooling Administrator. We now correct this clerical omission by directing NANPA and/or the PA to provide the additional numbering resources sought by AT&T. As well, we have modified our description of AT&T’s requested relief to clarify that this was the relief sought in its Amended Petition filed on December 3, 2008. Other

than the above-described corrections, an amended order number (Order No. 2008-857(A)) and caption description, and present issuance date (January 20, 2009), all other language of Order No. 2008-857 remains verbatim and follows.

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Petition of BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina (“AT&T” or the “Company”) for Review of the North America Numbering Plan Administration’s and/or the Pooling Administrator’s (collectively “NANPA/PA”) central office code numbering resources decision to deny the Company’s request for additional numbering resources in the 843 area code. According to AT&T, on September 16, 2008, it requested NANPA/PA to provide “two consecutive thousands-blocks in the 843 NPA with XXXX’s that do not begin with 9 or 0.” AT&T states it does not have the numbers to meet Roper St. Francis HealthCare’s request and asks that the Commission reverse NANPA/PA’s denial.

NANPA/PA’s refusal stems from the Federal Communications Commission’s (“FCC”) “rate center” basis for determining the need for new numbering resources. Under FCC rules, carriers must exhaust their numbering inventory within six months of the application and meet a rate center utilization threshold of 75 percent in order to receive additional numbering resources. However, the record reveals that the Mount Pleasant Rate Center is 18.35 months to 19.700 months from exhausting their inventory and is using 75.267 percent of its numbering resources.

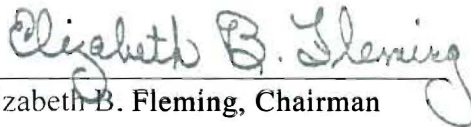
AT&T states that it does not have the resources in the Mount Pleasant rate center necessary to serve the needs of its customer and will therefore be unable to provide the

telecommunications services requested by this customer if the additional numbering resources are not obtained. Although AT&T fails to meet NANPA/PA's requirements, the FCC maintains a policy that "under no circumstances should customers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources." FCC 000-429 at ¶ 61. To this end, the FCC allows carriers to challenge a NANPA/PA decision at the appropriate state regulatory commission. FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0. States may grant relief "if a carrier demonstrates that it has received a request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362 at ¶ 64.

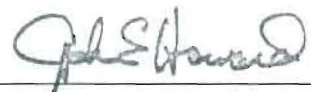
We find that the South Carolina Public Service Commission, as the regulator of the rates and service of telecommunications companies under the authority of S.C. Code Ann. § 58-9-210 et seq., has the authority under both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines to review a decision by NANPA/PA denying a request for numbering resources. We further find that AT&T has demonstrated receipt of a customer request for numbering resources in the Mount Pleasant Rate Center that it cannot meet with its current inventory. It is our opinion that these additional numbering resources are necessary for AT&T to provide its customer with the required telecommunications service. Consequently, we hold that NANPA/PA is directed to approve AT&T's code assignment of two consecutive thousands-blocks in the 843 NPA with XXXX's that do not begin with 9 or 0, which it recently requested for the Mount Pleasant Rate Center.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)